
HOUSE BILL No. 1076

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-14-1-2.

Synopsis: Declaratory judgments and insurers. Provides that, in an action against an insurer, only a named insured or a person seeking status as an insured under the terms of the insurance contract may bring an action for declaration of coverage before judgment has been entered on the underlying claim.

Effective: July 1, 2005.

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January 6, 2005, read first time and referred to Committee on Insurance.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1076

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 34-14-1-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. **(a) Except as**
3 **provided in subsection (b),** any person interested under a deed, will,
4 written contract, or other writings constituting a contract, or whose
5 rights, status, or other legal relations are affected by a statute,
6 municipal ordinance, contract, or franchise, may have determined any
7 question of construction or validity arising under the instrument,
8 statute, ordinance, contract, or franchise and obtain a declaration of
9 rights, status, or other legal relations thereunder.
10 **(b) In an action against an insurer, only a:**
11 **(1) named insured; or**
12 **(2) person seeking status as an insured under the terms of the**
13 **insurance contract;**
14 **may bring an action for declaration of coverage before judgment**
15 **has been entered on the underlying claim.**



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